

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR 2002-093045

01/17/2006

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT  
E. Campo  
Deputy

FILED: 01/24/2006

STATE OF ARIZONA

JEANNETTE GALLAGHER

v.

ALAN MARCEL SOJKA (A)

GARY J BEVILACQUA  
JOSEPH A STAZZONE

VICTIM SERVICES DIV-CA-SE

TRIAL MINUTE ENTRY  
DAY ONE

State's Attorney:	Jeannette Gallagher
Defendant's Attorney:	Gary Bevilacqua and Joseph Stazzone
Defendant:	Present
Court Reporter:	Kathy Incavo

1:30 p.m. This is the time set for trial to Jury.

The Court conducts prescreen for time.

The first group of prospective jurors is present.

Court and counsel prescreen the prospective jurors regarding time constraints and general voir dire as set forth on the record.

The Court excuses the jurors that are unable to serve for the length of time needed to conduct the trial.

2:32 p.m. The remaining jurors are given jury questionnaires to fill out, and advised to call this Court on Monday, 01/23/2006, at 9:00 a.m. to see if they need report back for further proceedings; Court recesses.

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3:16 p.m. Court reconvenes with respective counsel and Defendant present. The second group of prospective jurors is present.

Court reporter, Kathy Incavo, is present.

Court and counsel prescreen the prospective jurors regarding time constraints and general voir dire as set forth on the record.

A bench conference is held.

The Court excuses juror 57 because she does not speak English.

Prescreen continues.

The Court excuses the jurors that are unable to serve for the length of time needed to conduct the trial.

4:28 p.m. The remaining jurors are given jury questionnaires to fill out, and advised to call this Court on Monday, 01/23/2006 at 9:00 a.m., to see if they need report back for further proceedings; Court remains in session.

Juror 97 presents statements to the Court privately.

IT IS ORDERED excusing juror 97 for cause.

Counsel for Defendant moves to strike the second group of jurors based on the Statements made by juror (61).

Respective counsel present arguments.

IT IS ORDERED denying the Motion.

Counsel for Defendant moves to strike the jurors 61 and 87 for cause.

State does not object to excusing juror (61).

IT IS ORDERED granting the Motion and excusing juror 61 for cause.

The State objects to excusing juror (87).

IT IS ORDERED denying the Motion to excuse juror (87).

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Juror 64 having failed to report for jury duty,

Counsel for Defendant moves to strike juror (64).

Counsel for State objects.

The Court reserves its ruling to allow the jury commissioner to contact the juror regarding his absence.

4:35 p.m. Court recesses.

4:54 p.m. Court reconvenes with respective counsel and Defendant present. The third group of prospective jurors is present.

Court reporter, Kathy Incavo, is present.

Court and counsel prescreen the prospective jurors regarding time constraints and general voir dire as set forth on the record.

The Court excuses the jurors that are unable to serve for the length of time needed to conduct the trial.

5:32 p.m. The remaining jurors are given jury questionnaires to fill out, and advised to call this Court on Monday, 01/23/2006, at 9:00 a.m. to see if they need report back for further proceedings; Court remains in session.

Juror 123 presents statements to the Court.

IT IS ORDERED excusing juror 123 for cause.

The Court questions jurors 115 and 108 privately.

Juror 102 presents statements to the Court privately.

IT IS ORDERED excusing juror 102 for cause.

Counsel for Defendant presents statements for the record regarding excusing juror 57 for not speaking English.

On the basis of case law cited on the record,

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IT IS ORDERED denying any objection to striking juror (57).

5:51 p.m. Court recesses.